

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

August 25, 2008

At 9:30 a.m., the court met in the Library and Courts Building to begin its court calendar session. Present were Blease, Associate Justice; Raye, Associate Justice; Butz, Associate Justice; and Haskett, bailiff.

C055710 CULINARY FARMS, INC. v. MOONEY et al.

Cause called. Thomas R. Freeman argued for appellant. Anthony L. Vignolo argued for respondent. Cause submitted.

At 10:52 a.m., the court recessed. At 10:12 a.m., the court reconvened.

C056281 THE PEOPLE v. TIMOTHY ARCHER HARDWICK

Cause called. Michael Dolida, Deputy Attorney General, argued for appellant. Oliver J. Northup, Jr., court appointed counsel, argued for respondent. Cause submitted.

At 10:29 a.m., the court recessed until 9:30 a.m., Monday, September 15, 2008.

**C056047 THE PEOPLE v. BROCK ALFRED (Not For Publication)
JAMES COLLETTE**

The judgment of conviction is affirmed. The sentence is vacated and the matter is remanded for further proceedings consistent with this opinion.

CANTIL-SAKUYE, J.

We Concur: Scotland, P.J.
Nicholson, J.

C056623 THE PEOPLE v. BEVERLY BARRON (Not For Publication)

The judgment is affirmed.

ROBIE, J.

We Concur: Scotland, P.J.
Nicholson, J.

**C056858 THE PEOPLE v. (Not For Publication)
JAMES WILLIAM TIGNOR**

The judgment is affirmed.

NICHOLSON, J.

We Concur: Davis, Acting P.J.
Cantil-Sakauye, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
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Court Minutes

August 26, 2008, Continued

**C056727 JOHN DUNCAN, as Director, etc. v. (Certified For Publication)
WORKERS' COMPENSATION
APPEALS BOARD; LINDA SILVA
et al.**

The WCAB decision is annulled, and the cause is remanded to the WCAB for further proceedings consistent with this opinion. Solorio shall reimburse the UEBTF for its costs on review.

SCOTLAND, P.J.

We Concur: Blease, J.
 Davis, J.

August 27, 2008

**C053596 THE PEOPLE v. (Not For Publication)
KIRK DOUGLAS WILLIAMS**

The judgment is affirmed.

MORRISON, J.

We Concur: Blease, Acting P.J.
 Davis, J.

**C056985 THE PEOPLE v. (Not For Publication)
OLAN MANSON BAILEY**

The judgment is affirmed.

MORRISON, J.

We Concur: Scotland, P.J.
 Davis, J.

**C056080 ELLIOTT v. GILBERT RETAIL (Not For Publication)
HOLDINGS**

The judgment is affirmed. Defendant is awarded its costs on appeal.

HULL, J.

We Concur: Blease, Acting P.J.
 Robie, J.

**C057365 In re DARIN B. et al.; SACRAMENTO (Not For Publication)
COUNTY DEPARTMENT OF HEALTH
AND HUMAN SERVICES v.
DEANNA R. et al.**

The orders of the juvenile court are affirmed.

ROBIE, J.

We Concur: Morrison, Acting P.J.
 Cantil-Sakauye, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

August 27, 2008, Continued

**C058925 A.J. v. THE YOLO COUNTY SUPERIOR (Not For Publication)
COURT; YOLO COUNTY DEPARTMENT
OF EMPLOYMENT AND SOCIAL
SERVICES et al.**

The petition for extraordinary writ is denied. The request for a stay is denied as moot.

RAYE, Acting P.J.

We Concur: Morrison, J.

Hull, J.

August 28, 2008

**C053705 THE PEOPLE v. (Not For Publication)
MICHAEL GEORGE ROBERTS**

The order modifying the verdict is reversed and the matter is remanded to the trial court with directions to reinstate the verdict of conviction on count 2, Health and Safety Code section 11360, subdivision (a), and for further proceedings.

MORRISON, J.

We Concur: Nicholson, Acting P.J.

Raye, J.

**C055089 THE PEOPLE v. (Not For Publication)
MICHAEL WILLIAM TILLEY**

The judgment is affirmed.

NICHOLSON, Acting P.J.

We Concur: Hull, J.

Robie, J.

**C056279 THE PEOPLE v. (Not For Publication)
TERRY RAY ANDERSON**

The enhancements under Health and Safety Code section 11370.2 (b) are stricken. In all other respects, the judgment is affirmed.

MORRISON, J.

We Concur: Blease, Acting P.J.

Davis, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

August 28, 2008, Continued

- C056966 THE PEOPLE v. (Not For Publication)**
VICKI LYNN HANCOCK
The judgment is affirmed.
MORRISON, Acting P.J.
We Concur: Robie, J.
Cantil-Sakauye, J.
- C057494 THE PEOPLE v. (Not For Publication)**
LAWRENCE DUANE HUBER
The judgment is modified ... As modified, the judgment is affirmed. The trial court is directed to correct the abstract of judgment accordingly and to send a certified copy of the amended abstract to the Department of Corrections and Rehabilitation.
ROBIE, J.
We Concur: Davis, Acting P.J.
Nicholson, J.
- C053428 BARBA v. PEREZ (Certified For Partial Publication)**
The judgment and order denying the motion to tax costs are each affirmed. Plaintiff is awarded his costs on appeal. ...
BUTZ, J.
I concur: Robie, J.
I concur in parts I, II and III of the majority opinion. I respectfully dissent from part IV, which affirms the trial court's award of prejudgment interest and expert witness fees under Code of Civil Procedure section 998. ...
Sims, J.
- C054959 IMRIE v. GENERAL MOTORS (Not For Publication)**
ACCEPTANCE CORPORATION
et al.
The judgment is reversed. The trial court is directed to vacate its order granting summary judgment and enter a new order denying the motion for summary judgment but granting summary adjudication in favor of GMAC on all causes of action except the first cause of action (gender discrimination). The parties shall bear their own costs on appeal. ...
ROBIE, J.
We Concur: Morrison, Acting P.J.
Cantil-Sakauye, J.

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We Concur: Blease, Acting P.J.
Raye, J.

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The judgment is affirmed.
MORRISON, Acting P.J.
We Concur: ROBIE, J.
Cantil-Sakauye, J.